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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/631,265	08/02/2000	David C. Taylor	1785.2.2	8423

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EXAMINER	
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ART UNIT	**PAPER NUMBER**
2177	

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/631,265	TAYLOR, DAVID C.	
	Examiner	Art Unit	
	Srirama Channavajjala	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 February 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

DETAILED ACTION

Response to Amendment

1. Examiner acknowledges applicant's amendment filed on 2/10/2003, paper no.5.

2. Claims 1,3-7,9,12-22 have been amended, paper no. # 5.

3. Claims 1-22 are presented for examination.

Drawings

4. The drawings filed on 8/2/2000 are approved by the Draftsperson under 37 CFR 1.84 or 1.152.

Priority

5. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged. based on the provisional application Sl.No. 60/146,878 filed on 8/3/1999.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1-10, 12-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Maynard, US Patent No. 6175830.

7. As to Claim1 1,14,17, Maynard teaches a system which including 'extracting information desired by a user from a source' [see Abstract], extracting information desired by a user from a source corresponds to retrieving and displaying information such as document, a number of individual documents, more specifically web pages resident on the Internet which are interest to the users from the search results as detailed in the Abstract, 'an input module to acquire text from a user' [col 13, line 53-58], Maynard teaches search engine, more specifically user entering the search query element 82, further it is noted that Maynard teaches various modules for example index module, search module, break module [see fig 1,4] may include search word or phrases through user interface, examiner interpreting user interface corresponds to input module for acquiring text from a user, 'a filtering module programmed to determine a micro-context relevant to the text' [col 13, line 13-17, line 25-29, col 14, line 4-15, line 44-53], Maynard specifically teaches search engine capable of not only searches wide varieties of information or databases, but also matching information based on the input including optional filter that will filter out web sites that corresponds to filtering module, more specifically Maynard directed to search module utilizing search query to search through the database records element 80a-80z to find the database records element 86

matching the words or phrases in the search query as detailed in col 14, line 4-7, it is also noted that Maynard teaches specifically break module that break up the information into finite elements for example paragraphs, sections, sub-sections, segments and like [col 1, line 57-64] corresponds to matching the micro-context relevant to the text, 'filtering module further programmed to locate information corresponding to the micro-context in a database'[col 2, line 21-24, line 60-66, col 14, line 44-53], locate the information by matching the micro-context in a database corresponds to match between search word or phrase and the non-common word or phrase contained within the database records as detailed in col 14, line 44-53, further Mayanard also teaches for example web information or link may consider a finite element(s) for matching the specific search requested, therefore, micro-context is integral part of Mayanard's information retrieval system; 'a context construction module to combine words in the text to form the micro-context characteristic of the information' [col 4, line 6-13, col 4, line 17-26], Mayanard specifically teaches dividing the informational resources into finite elements, these finite elements corresponds to micro-context information 'a context comparison module to determine a macro-context relevant to the information by comparing the micro-context to the corpus'[col3, line 64-67, col 4, line 1-5], examiner interpreting macro-context relevant corresponds to web pages because web pages containing tags, links, words, phrases and like, more specifically finite elements or micro-context to the corpus corresponds to embedded categorical tags in the database as detailed in col 3, line 64-67, col 4, line 1-5, 'an information matching module to locate information corresponding to the macro-context in the database'

[col 3, line 64-67, col 4, line 1-5, line 33-51], Maynard specifically teaches each database record preferably includes an address or pointer to the corresponding finite element that corresponds to determine the location of the information in the database, 'the database being contextually indexed for searching by context' [col 6, line 30-39], Maynard teaches specifically index module that is used in searchable databases as detailed in fig 1, col 6, line 30-33, 'a presentation module to receive the information and present the information to a user' [fig 1, col 5, line 40-52, col 12, line 34-38], Maynard teaches displaying the search results that corresponds to presenting the information to a user.

8. As to Claim 2, Maynard teaches a system which including 'micro-context is independent of a hierarchical ordering of the database' [col 6, line 6-13].

9. As to Claim 3, Maynard teaches a system which including 'filtering module comprises a context construction module to combine words in the text to form the micro-context further being characteristic of the information' [col3, line 64-67, col 4, line 1-5, col 13, line 13-17, line 25-29, col 14, line 4-15, line 44-53], Maynard specifically teaches search engine to include optional filter that will filter out web sites that corresponds to filtering module, examiner interpreting macro-context relevant corresponds to web pages, micro-context to the corpus corresponds to embedded categorical tags that including finite elements related to strings or words or phrases and like in the database as detailed in col 3, line 64-67, col 4, line 1-5.

10. As to Claim 4, Maynard teaches a system which including 'filtering module further comprises a context comparison module to acquire a macro-context relevant to the micro-context' [col3, line 64-67, col 4, line 1-5, col 4, line 33-46, col 9, line 56-60, col 13, line 13-17, line 25-29, col 14, line 4-15, line 44-53], Maynard specifically teaches search engine to include optional filter that will filter out web sites that corresponds to filtering module, further Maynard teaches identifying finite elements that including identifying sections or sub-sections within the documents or data steam that is relevant to the database [see col 4, line 33-36], also Maynard suggests crate an automatic tool for matching patterns that distinguish segments or elements within any type of information resources [see col 9, line 56-60].

11. As to Claim 5, the limitations of this claim have been noted in the above rejection of claim 4 above, in addition, Maynard disclosed 'matching module to locate information corresponding to the macro-context in the database, the database being contextually indexed for searching by context' [col 3, line 64-67, col 4, line 1-5, line 33-51, col 6, line 30-39], Maynard specifically teaches each database record preferably includes an address or pointer to the corresponding finite element that corresponds to determine the location of the information in the database, Maynard teaches specifically index module that is used in searchable databases as detailed in fig 1, col 6, line 30-33.

12. As to Claims 6,15, 20, Maynard teaches a system which including 'presentation module is programmed to selectively present the information in a format designated by a user' [fig 1, col 5, line 40-52, col 12, line 34-38], Maynard teaches displaying the search results that corresponds to presenting the information to a user.

13. As to Claims 7 and 16, Maynard teaches a system which including 'mining module to add new data to the database by selectively retrieving the new data from the source' [col 6, line 13-18].

14. As to Claim 8-10, Maynard teaches a system which including 'mining module retrieves data from the source over a network' [col 14, line 17-19], network corresponds to Internet.

15. As to Claims 12 and 22, Maynard teaches a system which including 'updating module to update the information periodically after presentation to a user' [col 13, line 25-29, line 49-52].

16. As to Claim 13, Maynard teaches a system which including 'database further comprises a subset to store information for future access by a user' [col 13, line 40-49].

17. As to Claim 18, Maynard teaches a system which including 'combining relevant words in the text to form the micro-context characteristic of the information' [col 14, line 4-28]

18. As to Claim 19, Maynard teaches a system which including 'locating further comprises searching through indices in the database, wherein the indices have a format similar to the macro-contexts, and returning information linked to indices which correlate to the macro-contexts' [col 3, line 64-67, col 4, line 1-5, line 33-51, col 6, line 30-39], Maynard specifically teaches each database record preferably includes an address or pointer to the corresponding finite element that corresponds to determine the location of the information in the database, Maynard teaches specifically index module that is used in searchable databases as detailed in fig 1, col 6, line 30-33.

19. As to Claim 21, Maynard teaches a system which including 'selectively retrieving data from the source over a network to add to the database' [[col 6, line 13-18, col 14, line 17-19], network corresponds to Internet.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Maynard, US Patent No. 6175830 as applied to claim1 above, and further in view of Franklin et al., [hereafter Franklin], US Patent No. 6125352

20. As to Claim 11, Maynard does not specifically teach 'information includes data bout products purchasable by a user over the Internet', although Maynard specifically teaches information such as Web pages resident on the Internet and to display the results of the search based on the user-selected criteria [see col 3, line 33-36]. On the other hand, Franklin teaches a system which including 'information includes data about products purchasable by a user over the Internet' [col 1, line 14-18, fig 1, fig 4].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Franklin et al. into information management, retrieval and display system of Maynard because both are directed to information management, retrieval and display of the information to the user [see

Maynard Abstract; Franklin, Abstract], more specifically, Maynard is directed to various modules that including indexing, search modules searching database having a database record for each of the finite elements identified, further each database record includes an address or location of the corresponding finite elements [see col 2, line 5-14], while Franklin specifically directed to conducting commerce over the distributed network manage merchant and product information in an electronic shopping though user interface allowing users to search and shop for products [see col 8, line 19-28]. One of the ordinary skills in the art at the time of applicant's invention would have been motivated to combine the references because that would have allowed users of Maynard's information management, retrieval and display system to control which relative product information or product data of individual products that are purchased on the internet satisfies his or her needs as suggested by Franklin et al [col 9, line 61-67, col 10, line 1-9].

Response to Arguments

Applicant's arguments filed on 2/10/2003 have been fully considered but they are not persuasive. For the Examiner's response to the Applicant's arguments, see the discussion given below:

21. At page 7, Claims 1,14,17, significant claim elements are not disclosed by Maynard, for example claims 1,14,17 recite determining 'a micro-context

22. At page 8, Claims 1,14,17, Maynard does not teach this concept, ...

23. At page 8, Claims 1,14,17, Maynard's invention a tool for the organization and display of data, not 'micro context.....

As to the above argument, examiner disagree with the applicant because firstly, Maynard is directed to information ret rival system, more specifically information management, retrieval system including searching world wide web or internet [see Abstract], secondly, Maynard teaches various modules for example break module, index module, search module [see fig 1,4], thirdly, Maynard teaches for example search module utilizing search query to search through the database records [element 80a-80z] to find matching information such as detailed in fig 4, element 86 tag(s) or words or phrases in the search query as detailed in col 14, line 4-7, it is also noted that Maynard teaches specifically break module that break up the information into finite elements for example paragraphs, sections, sub-sections, segments and like [col 1, line 57-64] corresponds to matching the micro-context relevant to the text

24. At page 8, Claim 2, Maynard does not search in accordance with a 'micro-context'

As to the above argument, Maynard not only teaches various modules that is related to searching information, but also specifically directed to creating categorical tag for finite elements, further it will compare the actual contents of web page against the categorical tags. It is noted that Maynard teaches categorical tag may include attribute that is related to finite element or location of the finite element within a document, a data stamp, a categorical word or phrase summarizing the contents of the finite elements and like as detailed in col 6, line 21-25, therefore, micro context is integral part of Maynard's teaching.

25. At page 9, Claim 3, Maynard does not retrieve more accurate search results.....

As to the above argument, examiner disagree with the applicant because Maynard directed to searching information or retrieving information from Internet, more specifically utilizing search module as detailed in fig 1,4, it is noted that search module utlize the search query to search through database records for accurate match [col 6, line 58-61]. Further Maynard specifically directed to specific mechanism to search specific information looking for matches with the database records, also search module to provide other search words having similar or the same meaning that corresponds to

not only retrieving information, but also more accurate search results [col 7, line 39-47], therefore, Maynard does teach retrieve more accurate search results.

26. At page 9, Claim 4, applicant finds no reference or suggestion

As to the above argument, examiner disagree with the applicant because Maynard teaches both micro-context and macro content, for example Maynard specifically teaches breaking the information into various segments of information such as tags, paragraphs, subsections, pages, chapters, subchapters and like that corresponds to micro content, further this micro content containing finite elements because Maynard teaches creating categorical tag for each of the finite elements [col 6, line 61-67, col 7, line 1-16], examiner interpreting macro-context relevant corresponds to web pages because web pages containing tags, links, words, phrases and like, more specifically finite elements.

27. At page 9, Claim 5, applicant finds no reference or suggestion of a database indexed for searching.....

As to the above argument, examiner disagree with the applicant because Maynard specifically teaches each database record preferably includes an address or pointer to the corresponding finite element that corresponds to determine the location of

the information in the database, Maynard teaches specifically index module that is used in searchable databases as detailed in fig 1, col 6, line 30-33.

28. At page 9, Claim 18, applicant finds no reference or suggestion of 'combining relevant words

As to the above argument, Maynard teaches both micro-context and macro-context, further Maynard to teaches process will determine whether the embedded categorical tag is consistent with the content of the web page or not. If the categorical tag is not consistent with the web page, process is capable of creating categorical tag that contains search word or phrase and like as detailed in col 14, line 16-43.

29. At page 9, Claim 19, applicant finds no reference or suggestion of a database having indices.....macro-context...

As to the above argument, Maynard specifically teaches each database record preferably includes an address or pointer to the corresponding finite element that corresponds to determine the location of the information in the database, Maynard teaches specifically index module that is used in searchable databases as detailed in fig 1, col 6, line 30-33.

Claims 6-13,15-16,20-22 are dependent on independent claims, examiner applies above discussed arguments.

Conclusion

The prior art made of record

a. US Patent No. 6175830

b. US Patent No. 6125352

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure

c. US Patent No. 6438539

d. US Patent No. 6021409

e. US Patent No. 6289342

f. US Patent No. 6029165

g. US Patent No. 6314420

h. US Patent No. 5724571

i. US Patent No. 5873079

j. US Patent No. 6260077

k. US Patent No 6073167

l. WO9623265

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/746-7238	**(After Final Communication)**
703/746-7239	**(Offical Communications)**
703/746-7240	**(For Status inquiries, draft communication)**
(703) 308-6606	**(Art Unit)**

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

SC
Patent Examiner.
March 10, 2003.

SRIRAMA CHANNAVAJJALA
PRIMARY EXAMINER